

REMARKS

Claims 1, 4-7, 9-12, and 14-31 are pending in the application. Claims 17-31 have been allowed. Claims 1 and 7 are objected to by the Office. Claims 1, 4-7, 9-12, and 14-16 stand rejected.

Claim 1

Claim 1 has been rejected by the Office under 35 U.S.C. § 103(a) as being unpatentable by Nulman in view of Ezekiel.

Claim 1 recites entering semiconductor process parameters into a statistical process control system, receiving a request from an equipment interface for a data collection plan, configuring the equipment interface, using the statistical process control system, to collect the semiconductor process parameters, wherein configuring includes providing the data collection plan to the equipment interface.

It is respectfully disagreed that claim 1 is unpatentable by Nulman in view of Stoddard for at least the reasons recited below.

Neither Nulman nor Ezekiel disclose or suggest, alone or in combination, receiving a request from an equipment interface for a data collection plan and configuring the equipment interface, using the SPC control system, to collect the semiconductor process parameters. Specifically, in its § 103 rejection, the Office recognized that Nulman does not disclose receiving a request from an equipment interface for a data collection plan or configuring as recited and instead relies on Ezekiel at column 1, lines 44-56 to disclose receiving a request from an equipment interface for a data collection plan. However, Ezekiel does not disclose or suggest that a request is received from an equipment interface. Instead, Ezekiel states at the recited text that

[R]emote access is provided from a remote host system [internet browser] to an instrument. Control and data acquisition software is stored within the instrument. In response to the remote host system [internet browser], the control and data acquisition software is forwarded to the remote host system [internet

browser]. The control and data acquisition software is run on the remote host system [internet browser]. In response to control commands from the control and data acquisition software running on the remote host system [internet browser], data acquisition of the instrument is controlled. In response to a request from the control and data acquisition software running on the remote host system [internet browser], acquired data is forwarded from the instrument to the remote host system. [bracketed text added]

Note, that the relied upon portion of Ezekiel does not disclose receiving a request from an equipment interface, using the SPC system, for a data collection plan. Instead, the instrument of Ezekiel receives a request from an internet browser for control and acquisition software stored at the instrument. Therefore, neither Ezekiel nor Nulman disclose or suggest, alone or in combination, receiving a request or configuring the equipment interface as recited.

For at least these reasons, withdrawal of the rejection of claim 1 under § 103 is requested, and its allowance solicited. In addition, claims 2-6 which depend from claim 1 are also allowable, and recite additional non-obvious limitations.

Claims 7 and 12

Claims 7 and 12 have been amended to correct an antecedent basis informality, and not to narrow the claims. The Office has rejected claims 7 and 12 using the same reference cites and reasoning as claim 1. Claims 7 and 12 contain similar limitations as those argued with respect to claim 1, as well as additional non-obvious limitations. Therefore, claims 7 and 12, and their dependent claims, are allowable for the reasoning argued with respect to the rejection of claim 1 above. Withdrawal of the rejections of claims 7 and 12 and their dependent claims, which disclose additional non-obvious subject matter, is respectfully requested.

Should the Examiner deem that any further action by the Applicant would be desirable for placing this application in even better condition for issue, a call to the Applicant's representative listed below is requested.

Applicant(s) does not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-0365.

Respectfully submitted,

5-18-04
Date

J. Gustav Larson
J. Gustav Larson, Reg. No. 39,263
Attorney for Applicant(s)
TOLER, LARSON & ABEL, L.L.P.
5000 Plaza On The Lake, Suite 265
Austin, Texas 78746
(512) 327-5515 (phone) (512) 327-5452 (fax)